

Appln. No.: 10/696,698
Reply to Office action of July 21, 2006

REMARKS

Applicants respectfully acknowledge the examiners allowance of claims 1-8, 10-18, 20 and 21.

Phone Interview Summary

Applicants' attorney, John Wright, thanks the Examiner for the courtesy extended during a phone interview conducted October 18, 2006. During the interview, the Advisory Action dated October 12, 2006 was discussed, which refused entry of a prior After Final Amendment dated September 17, 2006. Our phone discussion culminated in an agreement that reasons for the amendment were to provide proper antecedent basis for elements within dependent Claims 7 and 8. In addition, the amendment to Claim 19 was discussed, which was an amendment made per the Examiner's suggestion from earlier correspondence.

Accordingly, it was agreed that this amendment would be resubmitted and entered for consideration. Applicants' attorney believes all the Claims to define patentable subject matter and to be in proper condition for allowance.

Claims 3, 7 and 8

Applicants have amended claim 3, though indicated as being allowed, to correct a typographical error by changing "an" to "and." Accordingly, claim 3 is now believed to be in proper form for allowance.

Applicants have amended claims 7 and 8, though indicated as being allowed, to provide proper antecedent basis for the claimed elements "driven member" and "drive member." Accordingly, claims 7 and 8 are believed to be in proper form for allowance.

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Claim Rejection

Applicants traverse the examiners rejection of claim 19 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,985,264 (Shaw et al.). To more clearly define over Shaw et al., applicants have amended claim 19.

As amended, claim 19 defines an apparatus for dispensing packages of medication having dispensatory instructions thereon. The apparatus has a body with an internal cavity and an outlet and an actuator received in the cavity. A feed mechanism has a pair of feed rollers that rotate at one velocity and a pair of dispensing rollers that rotate at a greater velocity than the feed rollers. The feed rollers and dispensing rollers are received in the cavity and in operable communication with the actuator for feeding and dispensing the packages of medication toward the outlet.

In contrast, Shaw et al. utilizes a strip feed wheel 36 in driving relationship to advance a strip 16 of cards 17 through a dispensing station of an apparatus (see column 4, lines 53-56). The examiner has noted that Shaw et al. has a pair of rollers 62 capable of rotating at one velocity, and another pair of rollers 60 capable of rotating at a greater velocity than the rollers 62. The examiner further states that a feed mechanism in Shaw et al. is received in a cavity and in operable communication with an actuator 65 for feeding and dispensing packages of medication toward an outlet 22. Applicants' amendment more clearly defines over Shaw et al. by specifying that the feed rollers and the dispensing rollers are in operable communication with an actuator for feeding and dispensing the packages of medication toward an outlet. In contrast, Shaw et al. does not suggest or teach arranging the rollers 62, 60 in operable communication with an actuator. Rather, the rollers 62 keep the cards 17 in a vertical position, while the rollers 60 engage a lateral flange 59 (see column 4, lines 10-25). As stated, there is nothing to suggest or teach arranging the rollers 60, 62 in operable communication with an actuator, as applicants contend that this would be counterintuitive, and quite possibly prevent the apparatus from functioning properly, as the apparatus already has the feed wheel 36 driving the strip 16 via the strip feed holes 46. As such, applicants believe that Shaw et al. fails to teach, let alone suggest the claimed structure cited in amended claim 19.

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Accordingly, applicants believe claim 19, as amended, defines patentable subject matter and to be in condition for allowance. Such action is respectfully requested.

If the examiner maintains the position that amended claim 19 is not in condition for allowance, applicants below signed attorney respectfully requests that the examiner initiate a phone interview so that any remaining issues can be addressed to place claim 19 in condition for allowance. Applicants' attorney can be reached at 248-433-7390.

It is believed that this application now is in condition for allowance. Further and favorable action is requested.

The Patent Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 04-1061.

Respectfully submitted,

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October 19, 2006
Date

CERTIFICATE OF MAILING

I hereby certify that this Amendment is being deposited via facsimile to the U.S. Patent and Trademark Office on October 19, 2006.


Karri M. Chamberlin

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